

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated September 25, 2006. This amendment is timely filed.

At the time of the Office Action, claims 1, 2, 5-8, 12 and 13 were pending. Claims 1, 2, 5-8, 12 and 13 were objected to for informalities. Claims 1, 2, 5 and 8 were rejected under 35 U.S.C. §102(b). Claims 6, 7, 12 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The objections and rejections are discussed in more detail below.

I. Claim Objections

Claims 1, 2, 5-8, 12 and 13 were objected to for the informalities listed in the Office Action. The claims have been amended herein in accordance with the Examiner's suggestions, and withdrawal of the objections is thus respectfully requested.

II. Rejections to the claims based upon Art and Allowable Subject Matter

Claims 1, 2, 5 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 806,721 to Wood ("Wood"). Applicant respectfully submits the claims are patentable over the prior art.

Claim 1 is amended herein to recite that the clamping step is performed with a clamping means and that, during the clamping step, the ropes press each other at their crossover area by the action of the clamping means. Support for this amendment is found in the specification of the application, at least on pages 4, lines 12-17 and page 5, lines 6-16. Claims 2 and 8 already claim clamping means. In claim 1, the knot and the junction comprise a clamping means (which may be, for example, nuts or riveting). In addition, the clamping step achieves the pressing together of the ropes.

In stark contrast, Wood discloses a tie-wire "clamping", a line-wire and a stay-wire of a wire fence. Although the words "tying" and "clamping" are used interchangeably throughout the

application, it is very clear that the word “clamping” has a different meaning to the one that applies in the present application.

In this regard, Wood discloses a tie-wire that is pinched upon the crossover area using pincers in such a way that the free ends of the tie-wire are “forced slightly past each other” (lines 64 and 65 of Wood). This is considered by Wood to be an improvement over the manual twisting of the wire in place. There is no mention throughout the document of a secure clamping means, of the type that would be able to withstand, for example, a sudden impact of a considerable strength such as that caused by a rolling rock.

The clamping means of claim 1, cannot be equated to the use of pincers by Woods as the latter can be easily opened upon impact, due to the relatively loose relationship between the two free ends of the tie-wire. It is therefore expected that the free ends of the tie-wire of Wood, upon sudden and violent impact such as that of a rolling rock, would slide apart from each other, releasing the line and stay wires at the crossover area. Accordingly, the tie-wire of the wire fence of Wood would not be able to withstand the force of a sudden and violent impact the way that the knot and the junction of claim 1 would.

Moreover, the fence by Wood is a wire fence. As a consequence, there can be no co-penetration of the line and stay-wires at the crossover area, as opposed to the ropes of the knot of claim 1. This is further confirmed by Wood 35 to 40, where it is explained that the tie-wire operates to bend the line and stay wires equally. It is neither envisaged nor preferred that the line and stay wires should lie substantially on the same plane to achieve greater strength and resistance. To the contrary, it is conceivable that, upon strain, wires arranged in such a fashion would easily slide over one another.

In contrast, the crossing ropes of the knot of claim 1 are tightly secured by virtue of the clamping means which are tight enough to press the crossing ropes to substantial co-planarity. Such co-planarity is responsible for creating a very secure knot, in which the ropes do not slide over each other and enable the knot to withstand high degrees of strain without the ropes shifting with respect to one another.

For the foregoing reasons, it is clear that the clamp of Wood does not teach or suggest the features of claim 1. Thus, claim 1 is believed to relate to be in condition for allowance.


Claims 6, 7, 12 and 13 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of these claims has thus been introduced into claims 2 and 8 respectively, which are believed to be allowable. As all claims are now believed to be in condition for allowance, prompt issuance of a Notice of Allowance is respectfully requested.

III. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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